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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
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12 UNITED STATES OF AMERICA,) No. CR 4-11-70337 MAG
13 Plaintiff,) DETENTION ORDER
14 v.)
15 ROBERT EDGAR WEAGLE,)
16 Defendant.)
17 _____)

18 I. DETENTION ORDER

19 For the reasons stated on the record in open court on April 6, 2011, and considering the
20 parties' proffers, the criminal complaint, Pretrial Services' report, and the factors set forth in 18
21 U.S.C. § 3142(g), the Court orders the defendant detained. Based on the current record, the
22 court determined that no condition or combination of conditions in 18 U.S.C. § 3142(c) will
23 reasonably assure the safety of the community or the appearance of the defendant at future court
24 appearances. *See* 18 U.S.C. §§ 3142(e) and (f). In particular, the court was concerned with the
25 prior state conviction for four counts of lewd and lascivious conduct upon a child under age 14,
26 the defendant's diagnostic commitment in connection with that prosecution, and the interplay of
27 these factors with the current complaint.

28 The defendant did not request a full bail study at this time, such as an interview by Pretrial

DETENTION ORDER
No. CR 4-11-70377 MAG

1 Services. *See* 18 U.S.C. § 3142(f) (a defendant has the right at a Section 3142(f) hearing, with
2 the assistance of counsel, to testify, to present witnesses, to cross-examine adverse witnesses,
3 and to present information by proffer or otherwise). He expressly retained his right to raise any
4 additional relevant information at a later hearing.

5 II. CONCLUSION

6 The court orders the defendant detained without prejudice to his revisiting the issue of bail at
7 a later hearing. The defendant is committed to the custody of the Attorney General or a
8 designated representative for confinement in a corrections facility separate, to the extent
9 practicable, from persons awaiting or serving sentences or held in custody pending appeal. *See*
10 18 U.S.C. § 3142(i)(2). The defendant must be afforded a reasonable opportunity to consult
11 privately with counsel. *See id.* § 3142(i)(3). On order of a court of the United States or on
12 request of an attorney for the government, the person in charge of the corrections facility must
13 deliver the defendant to the United States Marshal for a court appearance. *See id.* § 3142(i)(4).

14 IT IS SO ORDERED.

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16 DATED: April 8, 2011



LAUREL BEELER
United States Magistrate Judge